

From: David Brownell
To: Microsoft ATR
Date: 1/23/02 11:10am
Subject: Settlement is barely a slap on the wrist!

Hi,

I'm working on a more detailed response, but just in case it has problems getting in before your deadline, I wanted to make sure at least this comment got in.

The proposed settlement, and even to a large degree the amended version proposed by states including California, is too weak. It does not provide effective redress, penalty, or prevention. Rather than deterring an illegal monopoly, it is taking legal steps to institutionalize it.

Rather significantly from my perspective, it is also strongly biased against non-commercial software development, such as Free Software initiatives. Its rules on disclosure of interface material make it possible to hide information from organizations that are organized for the public interest rather than for money-making. And the lack of requirement for Microsoft to meet conformance tests for their specifications means that the true standard will need to include a buglist from Microsoft -- where that buglist is under stronger controls against disclosure (to those that most need it) than even the original specifications.

This proposed settlement is flawed, anti-competitive, and anti-consumer.

- David Brownell
Software Engineer
Palo Alto, CA